STATE OF CALIFORNIA-RESOURCES AGENCY

STATE WATER RIGHTS BOARD ORDER

ADD	LICATION_	1056
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PERMIT 511

LICENSE 2814

ORDER ALLOWING CHANGE IN POINTS OF DIVERSION AND CHANGE IN PLACE OF USE

WHEREAS License 2814 was issued to Natomas Riverside Mutual Water Company, Elmer F. Christophel, Pauline Christophel and F. C. Jones and was filed with the County Recorder of Sacramento County on February 21, 1946, and

WHEREAS said license was subsequently assigned to Natomas Central Mutual Water Company, and

WHEREAS the State Water Rights Board has found that the change in points of diversion and change in place of use under said license for which petitions were submitted on July 27, 1965, will not operate to the injury of any other legal user of water, and

WHEREAS the Board has approved and allowed said changes and has directed that an order be issued to describe said points of diversion and place of use in accordance with said petitions;

NOW THEREFORE IT IS ORDERED that permission be and the same is hereby granted to change the points of diversion under said License 2814 to points of diversion described as follows, to wit:

POINTS OF DIVERSION ON SACRAMENTO RIVER

- POINT 1. NORTH NINE HUNDRED (900) FEET AND WEST ONE THOUSAND SEVEN HUNDRED (1700) FEET FROM SE CORNER OF PROJECTED SECTION 23, Tlln, R3E, MDB&M, BEING WITHIN SW_{1}^{1} OF SE_{1}^{1} OF SAID SECTION 23.
- POINT 2. NORTH SEVENTY-FOUR DEGREES FIFTY-EIGHT MINUTES WEST (N74°58'W) TWO THOUSAND SIX HUNDRED (2600) FEET FROM SE CORNER OF SECTION 12, Tlon, R3E, MDB&M, BEING WITHIN SW_{4}^{1} OF SE_{4}^{1} OF SAID SECTION 12.
- POINT 3.

 NORTH TWO THOUSAND ONE HUNDRED TWENTY-FIVE (2125) FEET AND WEST ONE THOUSAND THREE HUNDRED TWENTY-FIVE (1325) FEET FROM SE CORNER OF PROJECTED SECTION 23, TION, R3E, MDB&M, BEING WITHIN LOT 185 OF NATOMAS ELKHORN SUBDIVISION AND WITHIN NE¹/₁₄ OF SE¹/₄ OF SAID SECTION 23.

STATE OF CALIFORNIA THE RESOURCES AGENCY STATE WATER RESOURCES CONTROL BOARD DIVISION OF WATER RIGHTS

ORDER

APPRICATION 1056			511	LICENSE 2814
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ORDER ALLOWING CHANGE IN PLACE OF USE

WHEREAS:

- 1. License 2814 was issued to Natomas Riverside Mutual Water Company, Elmer F. Christophel, Pauline Christophel and F. C. Jones and was filed with the County Recorder of Sacramento County on February 21, 1946.
- 2. License 2814 was subsequently assigned to Natomas Central Mutual Water Company, Elmer F. Christophel and F. C. Jones.
- 3. An order allowing change in points of diversion and place of use was granted on March 4, 1966, and was recorded with the County Recorder of (1) Sacramento County on March 7, 1966, in book 66-03-07, page 665, and (2) Sutter County on March 4, 1966, in book 689, page 406.
- 4. A petition for change in place of use has been filed with the State Water Resources Control Board and said Board has determined that good cause for such changes has been shown.
- 5. The Board has determined that such change in place of use does not constitute the initiation of a new right nor operate to the injury of any other water user involved.

NOW. THEREFORE. IT IS ORDERED THAT:

1. Permission is hereby granted to change the place of use to a place of use described as follows:

3543.64 NET ACRES WITHIN A GROSS AREA OF 51,091 ACRES WITHIN TOWNSHIPS 9N, 10N AND 11N ALL IN RANGES 3E AND 4E, MDB&M AS SHOWN ON MAP FILED WITH THE STATE WATER RESOURCES CONTROL BOARD.

Dated: JUNE 2 7 1979

/m Michael A. Campos, Chief Division of Water Rights

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STATE OF CALIFORNIA STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

ORDER

APPLICATION 1056	PERMIT	511	LICENSE	2814	

ORDER ALLOWING CHANGE IN PURPOSE OF USE AND AMENDING THE LICENSE

WHEREAS:

- License 2814 was issued to Natomas Riverside Mutual Water Company and was filed with the County Recorder of Sacramento County on February 21, 1946.
- License 2814 was subsequently assigned to Natomas Central Mutual Water Company.
- 3. An order allowing change in the points of diversion and place of use was granted on March 4, 1966 and has been recorded with the County Recorder of Sutter County on March 4, 1966 in Book 689, Page 406 and recorded with the County Recorder of Sacramento County on March 7, 1966, Document No. 18737.
- 4. An order allowing a change in the place of use was granted on June 27, 1979 and has been recorded with the County Recorder of Sacramento County on July 13, 1979, Document No. 116766.
- 5. A petition for change in purpose of use has been filed with the State Water Resources Control Board and said Board has determined that good cause for such change has been shown.
- 6. The Board has determined that the petitioned change does not constitute the initiation of a new right nor operate to the injury of any other lawful user of water.
- 7. The license condition pertaining to the Board continuing authority will be amended to conform with Section 780(a), Title 23, California Code of Regulations.
- 8. Two conditions are being added to this license limiting the amount and place of use for municipal, industrial and domestic uses to the Sacramento Metropolitan Airport Area as a result of mitigation of a protest.

NOW, THEREFORE, IT IS ORDERED THAT:

1. The purposes of use under this license shall be as follows:

Irrigation, Municipal, Industrial and Domestic

Two Conditions are added to this license and read:

Domestic, municipal and industrial uses under Licenses 1050, 2814, 3109, 3110 and 9794 (Applications 534, 1056, 1203, 1413 and 15572) and Permit 19400 (Application 25727) are approved provided that water is diverted only at Diversion Point 3 located in the NE½ of the SE½ of Section 23, T10N, R3E, and that water for domestic, municipal and industrial uses is served only to those lands zoned for such use described as follows:

Lands located within the Sacramento Metropolitan Airport and the Sacramento Airport Special Planning Area located within Sections 24, 25 and 36, TlON, R3E, and Sections 19, 20, 29, 30, 31 and 32, TlON, R4E, shown on a Map revised March 9, 1990 and filed herewith. (0360300)

The total amount of water diverted under Licenses 1050, 2814, 3109, 3110, 9794, and Permit 19400 shall not exceed 10,000 acre-feet during the period October 1 to April 1. (0000114)

3. The condition pertaining to the Board's continuing authority is amend to read:

Pursuant to California Water Code Sections 100 and 275, and the common law public trust doctrine, all rights and privileges under this license, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the State Water Resources Control Board in accordance with law and in the interest of the public welfare to protect public trust uses and to prevent waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of said water.

The continuing authority of the Board may be exercised by imposing specific requirements over and above those contained in this license with a view to eliminating waste of water and to meeting the reasonable water requirements of licensee without unreasonable draft on the source. Licensee may be required to implement a water conservation plan, features of which may include but not necessarily be limited to: (1) reusing or reclaiming the water allocated; (2) using water reclaimed by another entity instead of all or part of the water allocated; (3) restricting diversions so as to eliminate agricultural tailwater or to reduce return flow; (4) suppressing evaporation losses from water surfaces; (5) controlling phreatophytic growth; and (6) installing, maintaining, and operating efficient water measuring devices to assure compliance with the quantity limitations of this license and to determine accurately water use as against reasonable water requirements for the authorized project. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such specific requirements are physically and financially feasible and are appropriate to the particular situation.

The continuing authority of the Board also may be exercised by imposing further limitations on the diversion and use of water by the licensee in order to protect public trust uses. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such action is consistent with California Constitution Article X, Section 2; is consistent with the public interest and is necessary to preserve or restore the uses protected by the public trust. (0000012)

pared: JUL/ 12 1990

Walter G. Pettit, Chief Division of Water Rights

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STATE WATER RIGHTS BOARD

ORDER

APPLICATION 1056

PERMIT_____511____

2814 LICENSE___

- POINT 5. SOUTH TWO THOUSAND FOUR HUNDRED FIFTY (2450) FEET AND EAST FIVE HUNDRED (500) FEET FROM NW CORNER OF PROJECTED SECTION 8, T9N, R4E, MDB&M, BEING WITHIN $SW_{\frac{1}{4}}^{1}$ OF $NW_{\frac{1}{4}}^{1}$ OF SAID SECTION 8.
- POINT 6. SOUTH TWO THOUSAND FIVE HUNDRED TWENTY-FIVE (2525) FEET AND WEST ONE THOUSAND ONE HUNDRED FIFTY (1150) FEET FROM NE CORNER OF SECTION 17, T9N, R4E, MDB&M, BEING WITHIN SE_{4}^{1} OF NE_{4}^{1} OF SAID SECTION 17.
- POINT 7. SOUTH TWO THOUSAND SEVEN HUNDRED FIFTY (2750) FEET AND WEST ONE THOUSAND FOUR HUNDRED FORTY (1440) FEET FROM NE CORNER OF SECTION 27, T9N, R4E, MDB&M, BEING WITHIN THE SW_{4}^{1} OF NE_{4}^{1} OF SAID SECTION 27.

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- POINT A. SOUTH TWO HUNDRED (200) FEET AND WEST TWO THOUSAND EIGHT HUNDRED (2800) FEET FROM NE CORNER OF SECTION 24, Tlln, RJE, MDB&M, BEING WITHIN NEL OF NW OF SAID SECTION 24.
 - TNT B. SOUTH ONE THOUSAND NINE HUNDRED FIFTY (1950) FEET AND WEST THREE THOUSAND ONE HUNDRED (3100) FEET FROM NE CORNER OF SECTION 18, TILN, R4E, MDB&M, BEING WITHIN $SE_{\frac{1}{4}}^{1}$ OF $NW_{\frac{1}{4}}^{1}$ OF SAID SECTION 18, and

IT IS FURTHER ORDERED that permission be and the same is hereby granted to mange the place of use under said License 2814 to place of use described as follows, to wit:

> IRRIGATION OF 3543.64 ACRES WITHIN A GROSS AREA OF 37,778.05 ACRES WITHIN T 9,10 AND 11 N, R 3 AND 4 EAST, MDB&M, AS SHOWN ON MAP FILED WITH STATE WATER RIGHTS BOARD.

WITNESS my hand and the seal of the State Water Rights Board of the State

of California this



STATE OF CALIFORNIA—DEPARTMENT OF PUBLIC WORKS DIVISION OF WATER RESOURCES STATE ENGINEER

License for Diversion and Use of Water

2814 LICENSE...

PERMIT_511

APPLICATION 1056 ASSISTANCE (Over)

THIS IS TO CERTIFY, That Natomas Riverside Mutual Water Company, Elmer F. Christophel and Pauline Christophel and F. C. Jones, Sacramento, California

bave made proof as of September 5, 1945

(the date of inspection) to the satisfaction of the State Engineer of California of a right to the use of the waters of

Sacramento River in Sacramento County

tributary to Suisun Bay

of the Department of Public Works and that said right to the use of said waters has for the purpose of irrigation use been perfected in accordance with the laws of California, the rules and regulations of the Department of Public Works under Permit 7511 and the terms of the said permit; that the priority of the right herein confirmed dates from August 22, 1918;

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to the amount actually beneficially used for said purposes and shall not exceed thirty eight (38) cubic feet per second from about March 15 to about October 15 of each season.

In case of rotation the equivalent of such continuous flow allowance for any thirty day period may be diverted in a shorter time if there be no interference with other vested rights.

This license is based on the use of water made during the year 1944 which was the year of maximum use within the three year period immediately preceding the date of inspection.

The point s of diversion of such water are located

- (1) At Mile 2.15 on the left bank of Sacramento River located South 1500 feet and East 809.58 feet from a concrete monument marking the Northeast corner of Lot 1 of Natomas Riverside Subdivision No. 1 as the same is delineated on a map filed in the office of the County Recorder of Sacramento County on August 9, 1915, being within the NW of SEA of Section 27, T 9 N, R 4 E, M.D.B. & M.
- (2) At Mile 2.3 on the left bank of Sacramento River located South 2700 feet and East 2850 feet from the Northwest corner of Section 27, T 9 N, R 4 E., M.D.B. & M., being within the NW+ of the SE+ of said Section 27, and also being within Lot 1 of Natomas Riverside Subdivision No. 1;
- (3) At Mile 3.0 on the left bank of Sacramento River located South 4100 feet and West 500 feet from the Northeast corner of Section 28, T 9 N, R 4 E., M.D.B. & M., being within the SE4 of the SE4 of said Section 28 and also being within Lot 11 of Natomas Riverside Subdivision No. 1;
- (4) At Mile 6.1 on the left bank of Sacramento River located South 2525 feet and West 1150 feet from the Northeast corner of Section 17, T 9 N, R 4 E., M.D.B. & M., being within the SEt of the NEt of said Section 17 and also being within Lot 8 of Natomas Riverside Subdivision No. 3; and
- (5) At Mile 7.5 on the left bank of Sacramento River located South 2450 feet and East 500 feet from a concrete monument marking the Northwest corner of Lot 23 of Natomas Riverside Subdivision No. 3 as the same is delineated on a map filed in the office of the County Recorder of Sacramento County on August 6, 1918, and being within Lot 23, of said subdivision.

(Miles are measured northerly along Sacramento River from Tower Bridge at the foot of Capitol Avenue, Sacramento, California.)

A description of the lands or the place where such water is put to beneficial use is as follows:

Those portions of Lots 1 to 16, both numbers inclusive, of Natomas Riverside Subdivision No. 1 lying North of Sacramento River Levee right of way of Reclamation District No. 1000.

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Those portions of Lots 1 to 16, both numbers inclusive, or Natomas Riverside Subdivision No. 1 lying North of Sacramento River Levee right of way of Reclamation District No. 1000.

Those portions of Lots 1 to 49, both numbers inclusive, of Natomas Riverside Subdivision No. 2 lying North and East of said Sacramento River Levee right of way.

A tract containing thirty (30) acres gross located within the SE_{+}^{1} of Section 20, the SW_{+}^{1} of Section 21, the NW_{+}^{1} of Section 28 and the NE_{+}^{1} of Section 29, bounded on the North by Lot 23, on the East by Lots 23 and 25 and on the South by Lot 40 of Natomas Riverside Subdivision No. 2 and on the West by Sacramento River Levee right of way.

Those portions of Lots 1 to 26, both numbers inclusive, lying North and East of said Sacramento River Levee right of way; and

That portion of the SW_{4}^{1} of Section 15 lying West of the West Drainage Canal of Reclamation District No. 1000, the S_{2}^{1} of Section 16, that portion of the SE_{4}^{1} of Section 17 lying East of said Sacramento River Levee right of way, and that portion of the NE_{4}^{1} of Section 27 lying North of said Sacramento River Levee right of way, South of said Natomas Riverside Subdivision No. 2 and East of said Natomas Riverside Subdivision No. 1; all in T 9 N, R 4 E., M.D.B. & M.

Containing a total of 3543.64 acres, more or less, as shown on a map entitled "Map of Riverside Mutual Water Company" filed in the office of the State Engineer.

This license is granted and licensee accepts all rights herein confirmed subject to the following provision: 1 the Water Cile: Section 1625. Each license shall be in such form and contain such terms as may be prescribed by the Department. Section 1626. All licenses shall be under the terms and conditions of this division (of the Water Code). Section 1627. A license shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code) but no longer. Section 1628. Every license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a license is issued takes the license subject to the conditions therein Section 1629. Every licensee, if he accepts a license, does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to any rights granted or acquired under the provisions of the services to be rendered by any licensee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code). Section 1630. At any time after the expiration of twenty years after the granting of a license, the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivison of the State shall have the right to purchase the works and property occupied and used under the license and the works built or constructed for the enjoyment of the rights granted under the license. Section 1631. In the event that the State, or any city, city and county, municipal water district, irrigation district, lighting district, or political subdivision of the State so desiring to purchase and the owner of the works and property can not agree upon the purchase price, the price shall be determined in such manner as is now or may hereafter be provided by law for determining the value of property taken in eminent Witness my hand and the seal of the Department of Public Works of the State of California, this February day of , 19 46 [SEAL] EDWARD HYATT, State Engineer OGGISSON THE WORK RECEIVED MOTICE OF ASSIGNMENT

RECEIVED NOTICE OF ASSIGNMENT, TO

STATE OF CALIFORNIA—DEPARTMENT OF PUBLIC WORKS DIVISION OF WATER RESOURCES STATE ENGINEER LICENSE 2814

TO APPROPRIATE WATER Matemas Riverside Mutual Water Ce. જ Elmer F

18,

February

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